

National Aeronautics and Space  
Administration  
Goddard Space Flight Center

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# ANNOUNCEMENT

## SUBJECT: Anti-Discrimination Policy


Discrimination on the basis of race, gender, age, disability, ethnicity, color, sexual orientation, or religion is illegal. As such, it will not be tolerated at Goddard.

The first of two fundamental forms of discrimination is *disparate treatment*. It incorporates unequal or less favorable treatment of an individual based on one or more of the above mentioned factors. This type of discrimination may be the result of bigotry, reliance on stereotypes, or failure to understand what constitutes different treatment. To eradicate *disparate treatment*, we each need to respect and understand individual differences, styles, and approaches to work. We also need to assure merit-based access to developmental opportunities as well as provide constructive feedback to all our employees.

*Disparate impact* is the result of a policy or practice of the organization that effects any of the specific groups mentioned above. This form of discrimination frequently involves underlying systemic assumptions about job requirements that are in fact not job related. This form of discrimination is often determined through statistical inference and examination of cause and effect relationships. To eliminate *disparate impact*, we need to question the authenticity of our systems and practices and be open to new ways of accomplishing our work.

Discrimination is not only illegal; it is counter-productive. Managers and employees must work together to ensure a workplace free of discrimination and harassment.

If you feel you have been discriminated against, there are a variety of options available for redress. Contact your supervisor, your Equal Opportunity Office, an EO counselor, your union, or your Human Resources representative. Additional information on the EEO process is available on the reverse of this announcement and online at <http://eeo.gsfc.nasa.gov/complaints.html>.

  
Edward J. Weiler  
Director

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## **Goddard Space Flight Center Equal Opportunity Discrimination Complaint Process**

The equal opportunity (EO) discrimination complaint process provides a means of resolving individual employment problems or class actions relating to issues involving race, gender, age ( $\geq 40$ ), disability, ethnicity, color, or religion. When an issue is first raised, the Center will try to resolve it informally – i.e. without making a determination of discrimination. If the issues raised are not resolved through an informal process, the petitioner may progress to the formal stage, which involves sworn testimony and results in a decision as to merit of the case.

In the informal process, any employee or applicant for employment who believes she or he has been discriminated against should contact an EO counselor with 45 days of the alleged offense. EO counselors are Goddard employees who are trained to resolve issues quickly at the lowest possible organizational level. At the initial interview the counselor will listen to the issues, clarify the basis of the complaint, inform the petitioner of his or her rights, and provide information on the options available for seeking resolution. If employees elect to pursue their issues under the EO complaint process, they may choose to use the ADR program or traditional EO counseling in an effort to reach a resolution.

If the informal process does not resolve the issues, the petitioner may file a formal EO complaint. The formal process must be initiated within 15 days of the termination of the informal process. The EO counselor will provide a form and specific information needed to file. The complainant or a representative, who has been designated in writing, can file the complaint with NASA Headquarters. If the complaint is accepted, NASA Headquarters will initiate a full investigation of the issues and eventually issue an Agency decision on the merits of the case.

Contractor employees may qualify as "Federal employees" within the meaning of the anti-discrimination statutes. If any contractor employee believes she or he has been discriminated against, he or she must contact an EO counselor within 45 days of the alleged discrimination by NASA. Contract workers will qualify as "Federal employees" only if they meet certain criteria that show that NASA exercises control over the means and manner of their performance. Contractor employees should also pursue resolution through their company's complaint process.

The list of current EO counselors is posted near the Dateline boards in most buildings on the Greenbelt campus, in the phonebook, and on the intranet at <http://eeo.gsfc.nasa.gov/complaints.html#couns>. Please call the EEO office for additional information at 301-286-7348.

*Please note that issues involving discrimination due to sexual orientation do not fall under the EEO complaints process. The EEOC has ruled that because discrimination based on sexual orientation is not prohibited by Civil Rights Act (it is under Executive Order 11478) that it is not subject to the Title VII complaints process. Employees who believe they have experienced discrimination due to sexual orientation can pursue those issues through their union, OHR or through the Center ADR Program.*